

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Atty.'s Docket: **VAN EIJK-17**

In Re Application of: Michael J. T. VAN EIJK	Art Unit: 1637
Application No.: 10/560,968	Examiner: Joyce TUNG
Conf. No. 2423	Washington, D.C.
National Phase Entry Filed: March 19, 2007	Date: December 4, 2009

For: MEANS AND METHOD FOR THE DETECTION OF TARGET NUCLEOTIDE SEQUENCES  
USING LIGATION ASSAYS WITH IMPROVED OLIGONUCLEOTIDE PROBE PAIRS

THE COMMISSIONER OF PATENTS  
U. S. Patent and Trademark Office  
Randolph Building **Mail Stop AMENDMENT**  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Transmitted herewith is a **Response and Amendment** in the above-identified application to an Office Action dated Aug. 18, 2009.

- Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.  
 No additional fee is required.  
 Fee as calculated below

	(Col. 1)	(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	39	MINUS ** 41	0
INDEP.	2	MINUS *** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			
ADDITIONAL FEE TOTAL			

SMALL ENTITY		OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
x 26	\$	x 52	\$
x 110	\$	x 220	\$
+ 195	\$	+ 390	\$
ADDITIONAL FEE TOTAL		TOTAL	

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.  
\*\*\* If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown on the Notice of Appeal, filed on even date herewith

**Small Entity**

Response Filed Within

- First - \$ 65.00  
 Second - \$ 245.00  
 Third - \$ 555.00  
 Fourth - \$ 865.00

Month After Time Period Set

- Less fees (\$\_\_\_\_\_) already paid for \_\_\_\_ month(s) extension of time on \_\_\_\_\_.  
 Please charge my Deposit Account No. 02-4035 in the amount of \$.  
 Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$.  
 Payment in the amount of \$ 65.00 will be made using the online filing system.

**Other Than Small Entity**

Response Filed Within

- First - \$ 130.00  
 Second - \$ 490.00  
 Third - \$ 1110.00  
 Fourth - \$ 1730.00

Month After Time Period Set

The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By: /Shmuel Livnat/  
Shmuel Livnat  
Registration No. 33,949

Facsimile: (202) 737-3528  
Telephone: (202) 628-5197